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		Application Number	10/671,709-Conf. #9279
TRANSMITTAL		Filing Date	September 29, 2003
FORM (to be used for all correspondence after initial filing)		First Named Inventor	Harry A. Dugger, III
		Art Unit	N/A
		Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	3	Attorney Docket Number	N9810.0027/P027

Total Number of Pages in This Sub	nission 3	N9810.00277P027				
ENCLOSURES (Check all that apply)						
Fee Transmittal Form	Drawing(s)	After Allowance Communication to TC				
Fee Attached	Licensing-related Papers	Appeal Communication to Board of Appeals and Interferences				
Amendment/Reply	Petition	Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)				
After Final	Petition to Convert to a Provisional Application	Proprietary Information				
Affidavits/declaration(s)	Power of Attorney, Revocation Change of Correspondence Address	Status Letter				
Extension of Time Request	Terminal Disclaimer	Other Enclosure(s) (please Identify below):				
Express Abandonment Request	Request for Refund	Return Receipt Postcard				
x Information Disclosure Statemen	CD, Number of CD(s)					
Certified Copy of Priority Document(s)	Landscape Table on CD					
Reply to Missing Parts/ Incomplete Application	Remarks	· · · · · · · · · · · · · · · · · · ·				
Reply to Missing Parts und 37 CFR 1.52 or 1.53	er					
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT						
DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP						
Signature						
Printed name James M. Silberr	Printed name James M. Silbermann					
Date 6 3-4 7	Reg. No.	40,413				



Docket No.: N9810.0027/P027

(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Harry A. Dugger, III

Application No.: 10/671,709 Confirmation No.: 9279

Filed: September 29, 2003 Art Unit: N/A

For: BUCCAL, POLAR AND NON-POLAR

SPRAY CONTAINING DIAZEPAM

Examiner: Not Yet Assigned

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (IDS)

MS Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Supplemental Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR  $^{\circ}$  1.97(b)(3)).

Those documents which are marked with a double asterisk (\*\*) next to the Cite No. on the attached form PTO/SB/08 are not supplied because they were previously cited by or submitted to the Office in prior application number 10/230,060 filed August 29, 2002 and relied upon in this application for an earlier filing date under 35 U.S.C. 120.

Application No.: 10/671,709 Docket No.: N9810.0027/P027

In accordance with 37 CFR 1.97(g), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Supplemental Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Supplemental Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1073, under Order No. N9810.0027/P027.

Dated: 6 5-4 2005

Respectfully submitted,

James M. Silbermann

Registration No.: 40,413

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PTO/SB/08a/b (08-03)
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Substitute for form 1449A/B/PTO		Complete if Known			
				Application Number	10/671,709-Conf. #9279
	INFORMATIC	ON DISC	CLOSURE	Filing Date	September 29, 2003
	STATEMENT BY APPLICANT (Use as many sheets as necessary)			First Named Inventor	Harry A. Dugger, III
ŀ				Art Unit	N/A
l				Examiner Name	Not Yet Assigned
Shee	t 1	of	1	Attorney Docket Number	N9810.0027/P027

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.1	Document Number  Number-Kind Code <sup>2</sup> ( <i>if known</i> )	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	5,240,932	08/93	Yasunori Morimoto et al.	
	1	1			

FOREIGN PATENT DOCUMENTS						
Examiner	Cite	Foreign Patent Document	Publication	Name of Patentee or	Pages, Columns, Lines,	
Initials* No.1		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	Date MM-DD-YYYY	Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear	
	**BA	WO 93/03751	03/93			
	**BB	WO 94/10987	05/94			

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \(^1\) Applicant's unique citation designation number (optional). \(^2\) See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. \(^3\) Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). \(^4\) For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. \(^5\) Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. \(^6\) Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²	

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Examiner	 Date	
Signature	Considered	

<sup>&</sup>lt;sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.